

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

BANK OF AMERICA, N.A.

Plaintiff,

V.

**BLANCA JUAREZ MARTINEZ &
ALL OCCUPANTS**

Defendant

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CIVIL ACTION NO.

EXHIBIT A

INDEX OF DOCUMENTS FILED IN STATE COURT – EXHIBIT A

<u>NO.</u>	<u>DATE OR ENTERED</u>	<u>DOCUMENT</u>
B		State Court Docket Sheet
C	4/07/2015	OCA Appeal
D	4/07/2015	JP Sworn Complaint for Eviction
E		JP Judgment
F	4/07/2015	JP Pauper's Affidavit
G	4/07/2015	JP Transcript of Judgment
H	4/07/2015	Letter Notifying Parties of case filing
I	4/07/2015	Letter to Pauper Pro bono Option
J	06/05/2015	Notice of Appearance of Counsel
K	06/09/2015	Affidavit of Business Records
L	06/10/2015	Notice of Business Records
M	06/18/2015	Request

N	06/18/2015	Order Setting Trial
O		Certificate of Interested Persons

EXHIBIT B

JP6 CIVIL DOCKET

CASE SUMMARY

CASE NO. JP06-15-E00054594

BANK OF AMERICA, N.A.
vs.
BLANCA JUAREZ MARTINEZ
AND ALL OCCUPANTS

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§
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Location: JP NARRANT COUNTY TEXAS
Judicial Officer: Ritchie, Gary
Filed on: 03/11/2015

FILED
NARRANT COUNTY TEXAS

2015 APR -7 PM 12:01

CASE INFORMATION

File Date 03/11/2015

Cause of Action
Claim

Description/Remedy
Action
\$0.00 Possession

Case Type: Evictions

Case Status: 04/02/2015 Appealed
03/27/2015 Case Finalized
03/11/2015 Filed

Statistical Closures

04/02/2015 Case Appealed
03/27/2015 Trial/Hearing by Judge - Judgment

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number JP06-15-E00054594
Court JP No 06
Date Assigned 03/11/2015
Judicial Officer Ritchie, Gary

PARTY INFORMATION

Plaintiff

BANK OF AMERICA, N.A.

Lead Attorneys

Saucedo, Israel
Retained
214-635-2686(F)
214-635-2650(W)
PARKWAY OFFICE
CENTER
14160 NORTH DALLAS
PARKWAY
SUITE 900
DALLAS, TX 75254
isaucedo@mwzmlaw.com

Defendant

MARTINEZ, BLANCA JUAREZ

DATE

EVENTS & ORDERS OF THE COURT

EVENTS

03/11/2015 ☒ Original Petition Filed
03/11/2015 Generate Label
03/11/2015 ☒ Military Affidavit Filed
03/27/2015 During the Pendency of Appeal, the Interm Rent Due Is (Judicial Officer: Ritchie, Gary)
03/27/2015 ☒ Eviction - Statement of Inability to Pay for Appeal Filed
03/27/2015 Contacted PLTF on Statement of Inability to Pay for Appeal
LEFT MESSAGE
03/27/2015 ☒ Mailed Pltf Notice-Statement of Inability on Appeal Filed
04/01/2015 PLTF Never Responded on Statement of Inability to Pay Appeal
04/02/2015 Statement of Inability to Pay for Appeal Not Contested
04/02/2015 ☒ Statement of Inability to Pay for Appeal Granted

SCANNED

APR - 8 2015

CASE SUMMARY
CASE NO. JP06-15-E00054594

04/02/2015 ✓ Transcript of Judgment on Appeal Prepared
TRANSF TO CCL
 03/27/2015 **Statistical Closure**
 Trial/Hearing-by-Judge - Judgment

04/02/2015 **Statistical Closure**
 Case Appealed

DISPOSITIONS

03/27/2015 ✓ **Judgment for Plaintiff** (Judicial Officer: Ritchie, Gary)
 Claim :
 Judgment
 Awarded To: BANK OF AMERICA, N.A.
 Awarded against: BLANCA MARTINEZ

HEARINGS

03/27/2015 **Non-Jury Trial (9:30 AM)** (Judicial Officer: Ritchie, Gary)
Judgment

SERVICE

03/11/2015 ✓ **CITATION**

✓ ☐ MARTINEZ, BLANCA JUAREZ
 Served: 03/12/2015 9:45 AM
 Anticipated Server: T.C. Constable, Pct. 6
 Anticipated Method: In Person
 Actual Server: c06
 Return Date/Time: 03/12/2015 2:36 PM
 Serving Officer: GUTHRIE, MICHAEL B
 Serving Method: Occupant
 Service Tracking Comment: rec 03/11/15 retn 03/12/15 occ, Alfonso Arroyo

DATE

FINANCIAL INFORMATION

	Plaintiff BANK OF AMERICA, N.A.		116.00
	Total Charges		116.00
	Total Payments and Credits		0.00
	Balance Due as of 4/2/2015		
03/11/2015	Charge	Plaintiff BANK OF AMERICA, N.A.	116.00
03/11/2015	Mail Payment Receipt # JP6-2015-01429	Plaintiff BANK OF AMERICA, N.A.	(116.00)

EXHIBIT C

FILED
TARRANT COUNTY TEXAS

2015 APR -7 AM 9: 04

MARY LOUISE GARCIA
COUNTY CLERK

BY tb

Tarrant County⁽⁶⁾
Clerk

Official Time
Received

EXHIBIT D

CAUSE NO. ES4594
2014-001940-4 IN THE JUSTICE COURT: 11

BANK OF AMERICA, N.A.
Plaintiff

vs.
BLANCA JUAREZ MARTINEZ
and ALL OCCUPANTS OF 521
MISTY MOUNTAIN DRIVE, FORT
WORTH, TX 76140-0000
Defendant(s)

PRECINCT 6 PLACE 1

TARRANT COUNTY, TEXAS

SUIT TO EVICT

THIS SUIT TO EVICT INVOLVES IMMEDIATE DEADLINES. A TENANT WHO IS SERVING ON ACTIVE MILITARY DUTY MAY HAVE SPECIAL RIGHTS OR RELIEF RELATED TO THIS SUIT UNDER FEDERAL LAW, INCLUDING THE SERVICEMEMBERS CIVIL RELIEF ACT (50 U.S.C. APP. SECTION 501-ET SEQ), OR STATE LAW, INCLUDING SECTION 92.017, TEXAS PROPERTY CODE. CALL THE STATE BAR OF TEXAS TOLL-FREE AT 1-877-9TEXBAR IF YOU NEED HELP LOCATING AN ATTORNEY. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, YOU MAY BE ELIGIBLE FOR FREE OR LOW-COST LEGAL ASSISTANCE.

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, BANK OF AMERICA, N.A., (hereinafter "Plaintiff"), and file this Original Petition for Forcible Detainer complaining of BLANCA JUAREZ MARTINEZ and ALL OCCUPANTS OF 521 MISTY MOUNTAIN DRIVE, FORT WORTH, TX 76140-0000 (hereinafter "Defendants") and would respectfully show the Court as follows:

I.

1. Plaintiff acquires loan agreements secured by real property in the State of Texas and, when necessary, enforces such security interests. With respect to the Property the subject of this proceeding, Plaintiff is the mortgagee, as "mortgagee" is defined in TEX. PROP. CODE § 51.0001(4).

SCANNED

APR - 8 2015

Defendant(s), BLANCA JUAREZ MARTINEZ and ALL OCCUPANT may be served with process at 521 MISTY MOUNTAIN DRIVE, FORT WORTH, TX 76140-0000. Defendant(s) and all occupants of 521 MISTY MOUNTAIN DRIVE, FORT WORTH, TX 76140-0000 are residents of this County. Pursuant to Rule 510.4 of the Texas Rules of Civil Procedure, the undersigned verifies that such address is the sole home or work address of these Defendant(s), which is known to the person filing this petition, and that to the best of his or her knowledge, such person knows of no other home or work address of the Defendant(s) in the County where the property is located.

II.

2. Defendant(s) are currently in possession of the real property described as follows: LOT THIRTY-THREE (33), BLOCK TWENTY (20), OF DEER CREEK NORTH ADDITION, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET A, SLIDE 11049, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS.

3. The Property is situated within the jurisdiction of Tarrant County and is herein referred to as the "Property".

III.

4. Plaintiff is the owner of the Property pursuant to a Trustee's Deed or Substitute Trustee's Deed, recorded in the Real Property Records of Tarrant County.

IV.

5. In accordance with Sections 24.005 and 24.006 of the Texas Property Code, on 02/27/2015 written demand by certified mail/return receipt requested and First Class Mail was made upon Defendant(s) to vacate the premises located on the Property. Defendant(s) have failed to honor Plaintiff's demand for possession and have refused to vacate the premises.

V.

6. Pursuant to Section 24.002 of the Texas Property Code, Defendant(s) have committed a forcible detainer.

VI.


7. As a result of Defendant(s)' forcible detainer, Defendant(s) have been in wrongful possession of the property since the date of a foreclosure sale.

8. All conditions precedent have been performed or have occurred as required by TEX. R. CIV. P. 54.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that upon final hearing hereof judgment be entered in favor of Plaintiff for: (1) possession of the Property; (2) a writ of possession for the Property; (3) costs of suit for this action; and (4) such other and further relief, general or special, at law or in equity, to which it may show itself to be justly entitled.

Respectfully submitted,

MACKIE WOLF ZIENTZ & MANN, P.C.



Israel Saucedo
State Bar No. 24042221
Michael W. Zientz
State Bar No. 24003232
Brandon Wolf
State Bar No. 24025724
L. Keller Mackie
State Bar No. 24013077
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, Texas 75254
(214) 635-2650 (Phone)
(214) 635-2686 (Fax)

ATTORNEYS FOR PLAINTIFF

CAUSE NO. _____

BANK OF AMERICA, N.A.

vs.
BLANCA JUAREZ MARTINEZ and
ALL OCCUPANTS OF 521 MISTY
MOUNTAIN DRIVE, FORT WORTH,
TX 76140-0000
Defendant(s)

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IN THE JUSTICE COURT

PRECINCT 6 PLACE 1

TARRANT COUNTY, TEXAS

CERTIFICATE OF LAST KNOWN ADDRESS

Pursuant to Tex. R. Civ. P. 239a, BANK OF AMERICA, N.A. ("Plaintiff"), its successors and assigns, by and through its undersigned counsel, hereby certifies that the last known address(es) for Defendant(s) are as follows:

BLANCA JUAREZ MARTINEZ
521 MISTY MOUNTAIN DRIVE, FORT WORTH, TX 76140-0000

Respectfully submitted,

MACKIE WOLF ZIENTZ & MANN, P.C.

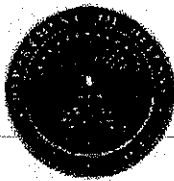


Israel Saucedo
State Bar No. 24042221
Michael W. Zientz
State Bar No. 24003232
Brandon Wolf
State Bar No. 24025724
L. Keller Mackie
State Bar No. 24013077
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, Texas 75254
(214) 635-2650 (Phone)
(214) 635-2686 (Fax)

ATTORNEYS FOR PLAINTIFF

vs.

15-000249-570



Status Report **Pursuant to Servicemembers Civil Relief Act**

Last Name: MARTINEZFirst Name: BLANCAMiddle Name: JUAREZActive Duty Status As Of: Mar-03-2015

FILED ON 3-11-15 10:11 am

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individual's active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received duty notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: T394ZF695199HA0

AFFIDAVIT

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned, who, by me being first duly placed upon his oath, did state:

"My name is Israel Saucedo, I am an attorney for Plaintiff in this eviction matter and as such, I am authorized to make this Affidavit on their behalf.


I have read the foregoing Complaint for Forcible Detainer and the facts stated therein are within my personal knowledge and are true and correct.

The facts contained in this affidavit are within my personal knowledge and are true and correct.

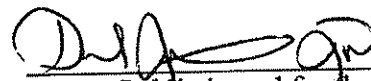
On 02/27/2015 the attached notices to vacate were mailed to the respective addresses.

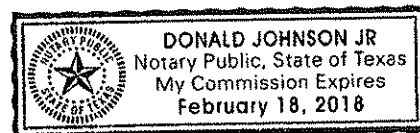
The records attached to this Petition and Affidavit are true and correct copies of Plaintiff's business records, and were kept by Plaintiff or its agents and representatives in the regular course of business. It was in the regular course of business of Plaintiff for an employee, agent or representative of Plaintiff with knowledge of the act, event, condition or opinion recorded to make the record or to transmit the information included in such record and the records were made at or near the time indicated, or reasonably soon thereafter. The documents attached to the Petition are incorporated by reference and made a part of this Affidavit for all purposes and contains 3 pages.

Further, this Affiant sayeth not."


Israel Saucedo

SUBSCRIBED AND SWORN TO on this 3rd day of March, 2015.


Notary Public in and for the
State of Texas



Electronically Recorded

Tarrant County Texas

Official Public Records

7/24/2013 9:17 AM

D213193285

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

TS No.: 12-0063015 FHA
TSG No.: 12-0107657-01
521 MISTY MOUNTAIN DRIVE
FORT WORTH, TX 76140

SUBSTITUTE TRUSTEE'S DEED

Deed of Trust Date:
May 6, 2010

Sale of Property Date:
July 2, 2013

Grantor(s)/Mortgagor(s):
BLANCA JUAREZ MARTINEZ, A SINGLE
PERSON

Time of Sale: 2:50 AM/PM

Original Mortgagee:
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC

Place of Sale:
Tarrant County Courthouse, 100 West Weatherford
Street, Fort Worth, TX 76196, The base of the
Courthouse steps on the East side of the building,
Tarrant County Courthouse OR AS
DESIGNATED BY THE COUNTY
COMMISSIONERS.

Current Mortgagee:
BANK OF AMERICA, N.A.

Grantee/Buyer:
BANK OF AMERICA, N.A.

Mortgage Servicer:
Bank of America, N.A.

Recorded on: May 10, 2010
As Clerk's File No.: D210108708

Grantee/Buyer's Mailing Address:
400 National Way
SIMI VALLEY, CA 93065

Re-Recorded

Property County:
Tarrant

Amount of Sale:
\$133,993.54

Legal Description: LOT THIRTY-THREE (33), BLOCK TWENTY (20), OF DEER CREEK NORTH ADDITION, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET A, SLIDE 11049, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS

Grantor conveyed the property to Trustee in trust to secure payment of the Note. Mortgagee, through the Mortgage Servicer, declared that Grantor defaulted in performing the obligations of the Deed of Trust. Current Mortgagee of the Note, through the Mortgage Servicer, accordingly has appointed Substitute Trustee and requested Substitute Trustee to enforce the trust.

Notices stating the time, place and terms of sale of the property were mailed, posted and filed, as required by law. Substitute Trustee sold the property to Buyer, who was the highest bidder at the public auction, for amount of sale in the manner prescribed by law. The subject sale was conducted no earlier than 1:00 PM as set forth in the Notice of Substitute Trustee Sale and was concluded within three (3) hours of such time. All matters, duties and obligations of Mortgagee were lawfully performed as evidenced by the affidavit(s) attached hereto and incorporated herein for all purposes.

Substitute Trustee, subject to any matters of record, and for amount of sale paid by buyer as consideration, grants, sells and conveys to Buyer, Buyer's heirs, executors, administrators, successors or assigns forever, the property together with all rights and appurtenances belonging to Grantor. Substitute Trustee hereby sells the above referenced property AS IS without any expressed or implied warranties, except as to warranties of title, and hereby conveys the property to the purchaser at the purchaser's own risk, pursuant to the terms of Texas Property Code § 51.002 and § 51.009.

EXECUTED this, 18th day of
July, 2013.

Craig Muirhead
David Stockman, Dennis Stockman, James
Urbanczyk, Jeff Johnston, Robert Aguilar, Brent Baugh,
Mitch Jordan, Kasey Shirley, Brent Graves, Bob Dickerson,
Angie Melzer, Rick Montgomery, Philip Pierceall, Craig
Muirhead, Clay Golder, Jeff Stumbarry or RECONTRUST
COMPANY, N.A., Substitute Trustee
c/o RECONTRUST COMPANY, N.A.
4500 Amon Carter Blvd., TX2-979-02-10
Fort Worth, TX 76155

STATE OF Texas
COUNTY OF Ellis

On 7-18-13, before me Jonathan J. Day, personally appeared
Craig Muirhead, known to me (or proved to me on the oath of
or through DRIVER LIC. to be the person whose name is subscribed to the foregoing
instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein
expressed.

WITNESS MY HAND AND OFFICIAL SEAL

Jonathan J. Day
Notary Public's Signature

Prepared By:
ReconTrust Company, N.A.
4500 Amon Carter Blvd.
Fort Worth, TX 76155

After Recording Return To:

ServiceLink
7301 N. State Hwy, Ste. 305
Irving, TX 75039



521 Misty Mountain Drive
Fort Worth, TX 76140
TS No.: 12-0063015 FHA
APN No.: 41073940

AFFIDAVIT

STATE OF TEXAS }
COUNTY OF TARRANT }

BEFORE ME, the undersigned authority on this day personally appeared Krystal Burton
who after being duly sworn, depose and stated:

1. I am an employee of RECONTRUST COMPANY, N.A., Substitute Trustee, at the time of the events hereinafter set forth and make this affidavit for the purpose of declaring the incidents of statutory and contractual compliance of the entity or entities set out below.
2. This affidavit is made with respect to the foreclosure of that certain Deed of Trust dated May 6, 2010, recorded on May 10, 2010, as Clerk's File No. D210108708, Real Property Records, Tarrant County, Texas, executed by BLANCA JUAREZ MARTINEZ, A SINGLE PERSON to CALVIN C. MANN, JR., original Trustee(s), in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
3. Bank of America, N.A., is the Mortgage Servicer for BANK OF AMERICA, N.A. the Mortgagee of the indebtedness secured by said Deed of Trust.
4. To the best of my knowledge and belief, based on my review of the search results placed in RECONTRUST COMPANY, N.A.'s business records, the debtor(s) was/were alive at the time of foreclosure.
5. To the best of my knowledge and belief based on my review of the search results placed in the Servicer's business records, the mortgagors holding an interest in the above described property were not on active duty with any branch of the Armed Forces of the United States or were not protected by the Service Members Civil Relief Act twelve (12) months prior to the Trustee's Sale.
6. At the instruction and on behalf of the Mortgage Servicer, notice of acceleration of indebtedness and Trustee's sale was served on each debtor obligated on the debt, in strict compliance with the Texas Property Code, by certified mail at least twenty-one (21) days prior to the date therein specified for sale at the last known address of each such debtor.
7. At the instruction and on behalf of the Mortgage Servicer, Notice of Substitute Trustee Sale was filed with the County Clerk in the county or counties in which the subject property is situated and copies thereof posted at said courthouse(s) as required by the law and in the manner specified by ordinance and custom.

DATED: 7/8/13

By: Krystal Burton 7/8/13
AFFIANT: Krystal Burton

Assistant Vice President

TITLE: Assistant Vice President

STATE OF TEXAS
COUNTY OF TARRANT

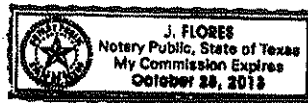
Subscribed and sworn to before me on this 8th day of July, 20 13 by

Krystal Burton Assistant Vice President of RECONTRUST COMPANY, N.A..

[Signature]
Notary Public's Signature

Prepared By:
RECONTRUST COMPANY, N.A.
4500 Amon Carter Blvd., TX2-979-02-10
Ft. Worth, TX 76155

After Recording Return To:
ServiceLink
7301 N. State Hwy 161, Ste 305
Irving, TX 75039



Mackie, Wolf & Zientz, PC
PO Box 9077
Temecula, CA 92589-9077



9314 7100 1170 0797 2344 31

PRESORT
First-Class Mail
U.S. Postage and
Fees Paid
WSO

Send Correspondence to:
Mackie, Wolf & Zientz, PC
14160 North Dallas Parkway
Suite 900
Dallas, TX 75254

RETURN RECEIPT REQUESTED

20150227-89

|||||
BLANCA JUAREZ MARTINEZ
521 MISTY MOUNTAIN DR
FORT WORTH, TX 76140-7530



1-NOV

MACKIE WOLF ZIENTZ & MANN, P.C.

ATTORNEYS AT LAW

PHONE (214) 635-2650 FAX (214) 635-2686

PARKWAY OFFICE CENTER, SUITE 900
14160 NORTH DALLAS PARKWAY
DALLAS, TEXAS 75254
* PLEASE RESPOND TO DALLAS OFFICE

UNION PLAZA
124 WEST CAPITOL, SUITE 1560
LITTLE ROCK, ARKANSAS 72201

15-000249-570
February 27, 2015
VIA CERTIFIED MAIL/RRR
AND REGULAR MAIL
BLANCA JUAREZ MARTINEZ
521 MISTY MOUNTAIN DRIVE
FORT WORTH, TX 76140-0000

Re: Property Address: 521 MISTY MOUNTAIN DRIVE, FORT WORTH, TX 76140-0000

MWZ Case No.: 15-000249-570

3 Day Notice to Vacate Prior to Filing Unlawful Entry and Detainer - Residential

PLEASE TAKE NOTICE: Pursuant to the terms of the Deed of Trust that encumbered the above referenced property a foreclosure sale was held on 07/02/2013. Our client, BANK OF AMERICA, N.A., was the purchaser at the foreclosure sale and based upon the Deed of Trust, you are hereby given this 3-Day Notice to Vacate. You must completely vacate the leased premises by 03/02/15.

Texas Property Code §24.005(b) provides in part:

If the occupant is a tenant at will or by sufferance, the landlord must give the tenant at least three days' written notice to vacate before the landlord files a forcible detainer suit.

If you fail to vacate by the above deadline, we will, on behalf of our client, BANK OF AMERICA, N.A., file a Forcible Detainer lawsuit against you.

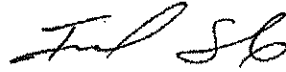
IF YOU ARE AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES OR A DEPENDENT OF AN ACTIVE DUTY SERVICEMEMBER, YOU MAY BE ENTITLED TO RIGHTS AS PROVIDED IN THE SERVICEMEMBERS CIVIL RELIEF ACT. IN SUCH CASE, YOU OR YOUR ATTORNEY SHOULD CONTACT THIS LAW FIRM AND PROVIDE PROOF OF MILITARY SERVICE IMMEDIATELY SO THAT THIS FIRM CAN DETERMINE IF YOU FALL UNDER THE PROTECTION OF THE ACT. PLEASE CONTACT DON JOHNSON OR BRIAN OMMART AT (214) 635-2650.

THIS NOTICE IS GIVEN PURSUANT TO APPLICABLE LAW AND IN NO WAY IMPAIRS ANY OF THE OTHER REMEDIES OR RIGHTS OF THE OWNER, EITHER UNDER THE DEED OF TRUST OR UNDER APPLICABLE LAW.



If you have any questions please call our offices at (214) 635-2650.

Issued on February 27, 2015.



Mackie Wolf Zientz & Mann, P.C.



Public Law 111-22, (May 20, 2009)

TITLE VII--PROTECTING TENANTS AT FORECLOSURE ACT (PTFA)¹

SEC. 701. SHORT TITLE.

This title may be cited as the 'Protecting Tenants at Foreclosure Act of 2009'.

SEC. 702. EFFECT OF FORECLOSURE ON PREEXISTING TENANCY.

(a) In General- In the case of any foreclosure on a federally-related mortgage loan or on any dwelling or residential real property after the date of enactment of this title, any immediate successor in interest in such property pursuant to the foreclosure shall assume such interest subject to--

(1) the provision, by such successor in interest of a notice to vacate to any bona fide tenant at least 90 days before the effective date of such notice; and

(2) the rights of any bona fide tenant--

(A) under any bona fide lease entered into before the notice of foreclosure to occupy the premises until the end of the remaining term of the lease, except that a successor in interest may terminate a lease effective on the date of sale of the unit to a purchaser who will occupy the unit as a primary residence, subject to the receipt by the tenant of the 90 day notice under paragraph (1); or

(B) without a lease or with a lease terminable at will under State law, subject to the receipt by the tenant of the 90 day notice under subsection (1),

except that nothing under this section shall affect the requirements for termination of any Federal- or State-subsidized tenancy or of any State or local law that provides longer time periods or other additional protections for tenants.

(b) Bona Fide Lease or Tenancy- For purposes of this section, a lease or tenancy shall be considered bona fide only if--

(1) the mortgagor or the child, spouse, or parent of the mortgagor under the contract is not the tenant;

(2) the lease or tenancy was the result of an arms-length transaction; and

(3) the lease or tenancy requires the receipt of rent that is not substantially less than fair market rent for the property or the unit's rent is reduced or subsidized due to a Federal, State, or local subsidy.

(c) Definition- For purposes of this section, the term 'federally-related mortgage loan' has the same meaning as in section 3 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2602). For purposes of this section, the date of a notice of foreclosure shall be deemed to be the date on which complete title to a property is transferred to a successor entity or person as a result of an order of a court or pursuant to provisions in a mortgage, deed of trust, or security deed.

¹ The PTFA was clarified and extended in section 1484 of P.L. 111-203 (July 21, 2010).



SEC. 703. EFFECT OF FORECLOSURE ON SECTION 8 TENANCIES.

Section 8(o)(7) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(7)) is amended--

(1) by inserting before the semicolon in sub paragraph (C) the following: 'and in the case of an owner who is an immediate successor in interest pursuant to foreclosure during the term of the lease vacating the property prior to sale shall not constitute other good cause, except that the owner may terminate the tenancy effective on the date of transfer of the unit to the owner--

(i) will occupy the unit as a primary residence; and

(ii) has provided the tenant a notice to vacate at least 90 days before the effective date of such notice.'; and

(2) by inserting at the end of sub paragraph (F) the following: 'In the case of any foreclosure on any federally-related mortgage loan (as that term is defined in section 3 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2602)) or on any residential real property in which a recipient of assistance under this subsection resides, the immediate successor in interest in such property pursuant to the foreclosure shall assume such interest subject to the lease between the prior owner and the tenant and to the housing assistance payments contract between the prior owner and the public housing agency for the occupied unit, except that this provision and the provisions related to foreclosure in sub paragraph (C) shall not shall not affect any State or local law that provides longer time periods or other additional protections for tenants.

SEC. 704. SUNSET.

This title, and any amendments made by this title are repealed, and the requirements under this title shall terminate, on December 31, 2014.

123 STAT. 1632, 1660

The PTFA law expired on 12/31/2014; however, since the sale date occurred at an earlier date then it has been determined that the law is still in effect for this notice.



MACKIE WOLF ZIENTZ & MANN, P.C.

ATTORNEYS AT LAW

PHONE (214) 635-2650 FAX (214) 635-2686

PARKWAY OFFICE CENTER, SUITE 900
14160 NORTH DALLAS PARKWAY
DALLAS, TEXAS 75254

* PLEASE RESPOND TO DALLAS OFFICE

UNION PLAZA
124 WEST CAPITOL, SUITE 1560
LITTLE ROCK, ARKANSAS 72201

15-000249-570
February 27, 2015
VIA CERTIFIED MAIL/RRR
AND REGULAR MAIL
OCCUPANT
521 MISTY MOUNTAIN DRIVE
FORT WORTH, TX 76140-0000

Re: Property Address: 521 MISTY MOUNTAIN DRIVE, FORT WORTH, TX 76140-0000
MWZM Case No.: 15-000249-570
3 Day Notice to Vacate Prior to Filing Unlawful Entry and Detainer - Residential

PLEASE TAKE NOTICE: Pursuant to the terms of the Deed of Trust that encumbered the above referenced property a foreclosure sale was held on 07/02/2013. Our client, BANK OF AMERICA, N.A., was the purchaser at the foreclosure sale and based upon the Deed of Trust, you are hereby given this 3-Day Notice to Vacate. You must completely vacate the leased premises by 03/02/15.

Texas Property Code §24.005(b) provides in part:

If the occupant is a tenant at will or by sufferance, the landlord must give the tenant at least three days' written notice to vacate before the landlord files a forcible detainer suit.

If you fail to vacate by the above deadline, we will, on behalf of our client, BANK OF AMERICA, N.A., file a Forcible Detainer lawsuit against you.

ALTERNATIVE NINETY (90) DAY NOTICE

In the event any occupant of the Premises is a bona fide tenant as defined by PTFA, this letter is the NINETY (90) DAY Notice to Vacate as required by PTFA. The PTFA law expired on 12/31/2014; however, since the sale date occurred at an earlier date then it has been determined that the law is still in effect for this notice.

If you are a tenant under a lease agreement with the prior owner, please provide our office with a copy of that lease agreement and proof of payment of the last 90 days of lease payments.

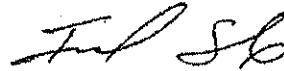
IF YOU ARE AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES OR A DEPENDENT OF AN ACTIVE DUTY SERVICEMEMBER, YOU MAY BE ENTITLED TO RIGHTS AS PROVIDED IN THE SERVICEMEMBERS CIVIL RELIEF ACT. IN SUCH CASE, YOU OR YOUR ATTORNEY SHOULD CONTACT THIS LAW FIRM AND PROVIDE PROOF OF MILITARY SERVICE IMMEDIATELY SO THAT THIS FIRM CAN DETERMINE IF YOU FALL UNDER THE PROTECTION OF THE ACT. PLEASE CONTACT DON JOHNSON OR BRIAN OMMART AT (214) 635-2650.



THIS NOTICE IS GIVEN PURSUANT TO APPLICABLE LAW AND IN NO WAY IMPAIRS ANY OF THE OTHER REMEDIES OR RIGHTS OF THE OWNER, EITHER UNDER THE DEED OF TRUST OR UNDER APPLICABLE LAW.

If you have any questions please call our offices at (214) 635-2650.

Issued on February 27, 2015.



Mackie Wolf Zientz & Mann, P.C.



Public Law 111-22, (May 20, 2009)

TITLE VII--PROTECTING TENANTS AT FORECLOSURE ACT (PTFA)¹

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(1) the provision, by such successor in interest of a notice to vacate to any bona fide tenant at least 90 days before the effective date of such notice; and

(2) the rights of any bona fide tenant--

(A) under any bona fide lease entered into before the notice of foreclosure to occupy the premises until the end of the remaining term of the lease, except that a successor in interest may terminate a lease effective on the date of sale of the unit to a purchaser who will occupy the unit as a primary residence, subject to the receipt by the tenant of the 90 day notice under paragraph (1); or

(B) without a lease or with a lease terminable at will under State law, subject to the receipt by the tenant of the 90 day notice under subsection

(1),

except that nothing under this section shall affect the requirements for termination of any Federal- or State-subsidized tenancy or of any State or local law that provides longer time periods or other additional protections for tenants.

(b) Bona Fide Lease or Tenancy- For purposes of this section, a lease or tenancy shall be considered bona fide only if--

(1) the mortgagor or the child, spouse, or parent of the mortgagor under the contract is not the tenant;

(2) the lease or tenancy was the result of an arms-length transaction; and

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(c) Definition- For purposes of this section, the term 'federally-related mortgage loan' has the same meaning as in section 3 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2602). For purposes of this section, the date of a notice of foreclosure shall be deemed to be the date on which complete title to a property is transferred to a successor entity or person as a result of an order of a court or pursuant to provisions in a mortgage, deed of trust, or security deed.

¹ The PTFA was clarified and extended in section 1484 of P.L. 111-203 (July 21, 2010).



SEC. 703. EFFECT OF FORECLOSURE ON SECTION 8 TENANCIES.

Section 8(o)(7) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(7)) is amended--

(1) by inserting before the semicolon in sub paragraph (C) the following: `and in the case of an owner who is an immediate successor in interest pursuant to foreclosure during the term of the lease vacating the property prior to sale shall not constitute other good cause, except that the owner may terminate the tenancy effective on the date of transfer of the unit to the owner if the owner--

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(2) by inserting at the end of sub paragraph (F) the following: `In the case of any foreclosure on any federally-related mortgage loan (as that term is defined in section 3 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2602)) or on any residential real property in which a recipient of assistance under this subsection resides, the immediate successor in interest in such property pursuant to the foreclosure shall assume such interest subject to the lease between the prior owner and the tenant and to the housing assistance payments contract between the prior owner and the public housing agency for the occupied unit, except that this provision and the provisions related to foreclosure in sub paragraph (C) shall not shall not affect any State or local law that provides longer time periods or other additional protections for tenants.

SEC. 704. SUNSET.

This title, and any amendments made by this title are repealed, and the requirements under this title shall terminate, on December 31, 2014.

123 STAT. 1632, 1660



EXHIBIT E

CAUSE #JP06-15-E00054594
IN THE JUSTICE COURT
PRECINCT SIX
TARRANT COUNTY, TEXAS

FILED
TARRANT COUNTY TEXAS
2015 APR -7 PM 12:00
MARLENE GARCIA
COUNTY CLERK
BY to

BANK OF AMERICA, N.A.
VS
BLANCA JUAREZ MARTINEZ
AND ALL OCCUPANTS

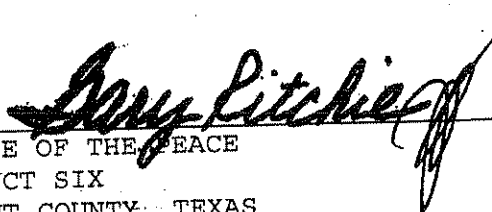
J U D G M E N T

ON THE 27TH DAY OF MARCH, 2015 CAME TO BE HEARD THE ABOVE NUMBERED AND ENTITLED CAUSE, AND THE PLAINTIFF(S) ATTORNEY AND THE DEFENDANT(S) ATTORNEY, APPEARED AND ANNOUNCED READY FOR TRIAL. THE COURT, AFTER FULLY HEARING THE PLEADINGS, EVIDENCE AND ARGUMENT OF PARTIES, FINDS FOR THE PLAINTIFF(S).

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT PLAINTIFF(S), BANK OF AMERICA, N.A., DO HAVE AND RECOVER OF THE DEFENDANT(S), BLANCA JUAREZ MARTINEZ AND ALL OCCUPANTS, POSSESSION ONLY OF THE FOLLOWING DESCRIBED PREMISES SITUATED IN JUSTICE PRECINCT SIX, TARRANT COUNTY, TEXAS, TO WIT: 521 MISTY MOUNTAIN DRIVE FORT WORTH TX 76140 PLUS ALL COSTS OF THIS SUIT, TOGETHER WITH INTEREST THEREON AT THE RATE OF 5.0000% COMPOUNDED ANNUALLY FROM DATE OF JUDGMENT.

IT IS FURTHER ORDERED THAT A WRIT OF POSSESSION ISSUE TO THE PROPER OFFICER COMMANDING HIM TO SEIZE POSSESSION OF THE SAID ABOVE DESCRIBED PREMISES AND DELIVER SAME TO PLAINTIFF(S) IF DEFENDANT FAILS TO VACATE BY APRIL 01, 2015 AND FURTHER THAT EXECUTION ISSUE FOR COLLECTION OF ALL MONIES DUE TO THE PLAINTIFF(S).

SIGNED THIS 27TH DAY OF MARCH, 2015.



JUSTICE OF THE PEACE
PRECINCT SIX
TARRANT COUNTY, TEXAS

SCANNED
APR - 8 2015

EXHIBIT F

Bank of America, N.A
PLAINTIFF

IN THE JUSTICE COURT

VS
Blanca Juarez Martinez
DEFENDANT
817-706-9173
Current Daytime Telephone Number of Defendant(s)

PRECINCT 6
TARRANT COUNTY, TEXAS

SWORN STATEMENT OF INABILITY TO PAY OR SECURE COSTS FOR APPEAL

On this 27 day personally appeared Blanca Juarez Martinez
Plaintiff/Defendant in the above-styled and numbered cause, and as appellant, desires to appeal to the County Court
at Law of Tarrant County, Texas; and under penalty of perjury states that, on the 27 day of March,
2015 in the above-styled and numbered cause before GARY RITCHIE, the Justice of the Peace of Precinct 6,
Tarrant County, Texas, Bank of America, N.A. Plaintiff/Defendant, appellee, recovered judgment
against Blanca Juarez Martinez, appellant, for the sum of \$ 0, plus costs of suit,
and that appellant is unable to pay the costs of appeal or any part thereof, or to give security thereof or any part
thereof.

APPELLANT INFORMATION:

I am (check one) ☐ Married ☒ Single ☐ Divorced
Number and ages of dependants and where do they reside: one (age 2)

Employed by: None (Work visa expired)
Address of Employer: None
My earnings are: \$ 0 per week, \$ 0 per month

(Alfonso's order) I have other income as follows including any governmental entitlement income (state source and amount):
Boyfriend/father of my daughter lives with me and helps with expenses; Alfonso works as a painter and he makes about \$1600 a month
Amount of Monthly Court Ordered Support \$ 0

I OWN THE FOLLOWING PROPERTY:

HOME (Address): None
Monthly payment: \$ 0 Balance Owed: \$ 0
List All Cars/Trucks Owned: 2004 Ford F-150
Monthly payments: \$ 0 Balances Owed: \$ 0

Other Land, Buildings, etc. Owned: None

Other Notes, Mortgages, Trust Deeds: Owe IRS taxes of \$5000
Monthly payment: \$ 80/month Balance Owed: \$ \$5000
Other Vehicles or Mobile Homes: None

Savings Bonds (Present Value) \$ 0
Stocks & Bonds (Description, Value) \$ 0

List all other Debts and Monthly Expenses:

Credit Card \$300/month
Utilities \$400/month
Gasoline \$250/month
Car Insurance \$100/month
Groceries \$300/month

other incidentals
laundry \$100
APR - 8 2015

SCANNED

I have the following money:

A. In Jail \$ 0
 B. At Home \$ 20
 C. In Checking Accounts \$ 0
 D. In Savings Accounts \$ 0

E. In Safety deposit box \$ 0
 F. Being Held/Owed to Me \$ 0
 G. Other \$ 0

Teacher Retirement unknown

INFORMATION ON SPOUSE: Father of Daughter

Name: Alfonso Ordaz
 Employed by: self employed painter (does job when he can get work; does not have visa)
 Address of Employer: from home (521 Misty Mountain Dr.)
 His/Her Earnings are: \$ 1600 per week \$ 1600 per month

I AM UNABLE TO PAY COURT FEES. I VERIFY THAT THE STATEMENTS MADE IN THIS STATEMENT ARE TRUE AND CORRECT UNDER PENALTY OF PERJURY.

SIGNED ON THIS 27 DAY OF March, 20 15 BY THE SAID Blanca
Juarez Martinez, APPELLANT, UNDER PENALTY OF PERJURY.

[Signature]
 Signature of Appellant

ORDER

APPROVED/DENIED this 2 day of April, 20 15.

[Signature]
 JUSTICE OF THE PEACE
 PRECINCT 6
 TARRANT COUNTY, TEXAS

EXHIBIT G

**TRANSCRIPT OF JUDGMENT
(CIVIL)**

FILED
TARRANT COUNTY, TEXAS
2015 APR -7 PM 12:01
TARRANT COUNTY, TEXAS

JP06-15-E00054594
MARY LOUISE GARCIA
COUNTY CLERK

BANK OF AMERICA, N.A.
PLAINTIFF

BY TP ISRAEL SAUCEDO
PLAINTIFF'S ATTORNEY

VS

BLANCA JUAREZ MARTINEZ
AND ALL OCCUPANTS
DEFENDANT

DEFENDANT'S ATTORNEY

SUIT UPON POSSESSION ONLY IN THE TOTAL AMOUNT OF \$-0- AND COSTS OF COURT FILED ON MARCH 11, 2015, CITATION ISSUED ON MARCH 11, 2015 TO JON SIEGEL, CONSTABLE PRECINCT NO. SIX, TARRANT COUNTY, TEXAS. CITATION RETURNED ON MARCH 12, 2015 AND EXECUTED ON MARCH 12, 2015.

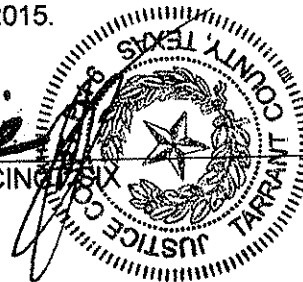
SEE ATTACHED A TRUE AND CORRECT COPY OF CASE SUMMARY PAGE INCLUDING ALL ENTRIES AND THE BILL OF COSTS.

THE STATE OF TEXAS
COUNTY OF TARRANT

I, GARY RITCHIE, JUSTICE OF THE PEACE, PRECINCT SIX, TARRANT COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF ALL THE ENTRIES ON MY DOCKET IN CASE NO. JP06-15-E00054594, WHEREIN, BANK OF AMERICA, N.A., PLAINTIFF VS BLANCA JUAREZ MARTINEZ, DEFENDANT, TOGETHER WITH A TRUE AND CORRECT COPY OF THE BILL OF COSTS IN SAID CAUSE, AS SAME APPEARS ON SAID CASE SUMMARY SHEET.

WITNESS MY HAND ON THIS THE 2ND DAY OF APRIL, 2015.

Gary Ritchie
JUSTICE OF THE PEACE PRECINCT SIX
TARRANT COUNTY TEXAS



SCANNED

APR - 8 2015

EXHIBIT H

Mary Louise Garcia
Tarrant County Clerk
100 W. Weatherford St.
Ft. Worth, Texas 76196-0401

April 07, 2015

Blanca Juarez Martinez and all occupants
521 Misty Mountain DR
Ft Worth TX 76140

RE: JP06-15-E00054594
A Forcible Detainer

Bank of America, N.A. vs Blanca Juarez Martinez and all occupants
County Court at Law Case No. 2015-001940-1, Filed 04/07/2015

Dear Sir or Madam,

The above case has been appealed from the Justice of the Peace Court to the County Court at Law No. 1. All pleadings are required by law to be in writing. (Rule 45, TRCP) The style of the case does not change when it is appealed to County Court at Law.

This case is an appeal from an eviction proceeding (Forcible Entry and Detainer). A WRITTEN ANSWER (a formal written statement made by the defendant stating his defense) must be filed within eight (8) full days from the date the appeal was filed in this court as indicated above. If the defendant does not file a written answer with this court within eight days, the allegations of the complaint may be taken as admitted and a judgment by default may be entered accordingly. (Rule 510.12, TRCP)

Cases in County Courts at Law are not automatically set for trial by the court. Either party may set the case for trial in writing. Upon requesting a setting you must forward a copy of your request to the other side. A ten (10) day notice to the other side is required when you request a trial setting.

- a.) Individuals can represent themselves, but may not be represented by any agent other than a licensed attorney.
- b.) Corporations shall be represented by a licensed attorney.
- c.) A general partnership shall be represented by at least one of the general partners or a licensed attorney.
- d.) A limited partnership shall be represented by a general, not a limited, partner or a licensed attorney.

Please keep the above County Court at Law case number and refer to it when inquiring. For information regarding a court setting call the Court Coordinator at (817) 884-2761. For all other information call the Court clerks at (817) 884-1485 or (817) 212-7074

Mary Louise Garcia, Clerk
County Courts at Law of
Tarrant County, Texas

Teresa Bryant, Deputy

cc: Israel Saucedo
PARKWAY OFFICE CENTER
14160 NORTH DALLAS PARKWAY
SUITE 900
DALLAS TX 75254

COPY

SCANNED

APR - 8 2015

EXHIBIT I



TARRANT COUNTY

FORT WORTH, TEXAS 76196-0240

DON PIERSON

JUDGE

COUNTY COURT AT LAW No. 1

817/884-1457

TRACY WOOD

COURT COORDINATOR

817/884-2761

April 07, 2015

Blanca Juarez Martinez and all occupants
521 Misty Mountain DR
Ft Worth TX 76140

RE: 2015-001940-1

Bank of America, N.A. vs Blanca Juarez Martinez and all occupants

Dear Sir or Madam,

The above case has been appealed from the Justice of the Peace Court to County Court at Law No. 1 on a PAUPER'S AFFIDAVIT. Pursuant to Section 25.0020 of the Texas Government Code, if your appeal as a pauper is perfected, you may request a pro bono ("free") attorney to represent you in this case.

While this court may appoint any qualified attorney who is willing to provide services for free, at this time, the only pro bono legal services program in Tarrant County is **Legal Aid of NorthWest Texas**. If you wish to request a free attorney for you in this matter, please contact by phone or in person **Legal Aid of NorthWest Texas** at the following:

Vivian Quesada
Legal Aid of NorthWest Texas
600 E. Weatherford St.
Fort Worth, Texas 76102

COPY

SCANNED
APR - 8 2015

(817) 336-3957, Ext. 5017
(817) 877-0804 (Fax)

Legal Aid of NorthWest Texas has limited resources, and can only accommodate a small percentage of the requests it receives. If you desire such an attorney, you must make a request immediately. Please Note: The delay or denial of your request will not delay the trial. If Ms. Quesada does not answer the phone, please leave a message and someone from her office will call you back the same day.

Sincerely,

Don Pierson

cc: Israel Saucedo

EXHIBIT J

CAUSE NO. 2015-001940-1

BANK OF AMERICA, N.A.

v.

BLANCA JUAREZ MARTINEZ, AND
ALL OCCUPANTS OF 521 MISTY
MOUNTAIN DRIVE, FORT WORTH,
TX 76140

IN THE COUNTY CIVIL COURT

AT LAW NO. ONE (1)

TARRANT COUNTY, TEXAS

NOTICE OF APPEARANCE OF MARINOSCI LAW GROUP, P.C.
ON BEHALF OF PLAINTIFF, BANK OF AMERICA, N.A.

PLEASE TAKE NOTICE that I, JONATHAN M. WILLIAMS, of the firm Marinosci
Law Group, P.C., do hereby appear in the above caption civil action on behalf of the Plaintiff,
Bank of America, N.A.

Respectfully submitted,
MARINOSCI LAW GROUP, P.C.

☐ Christopher K. Baxter
State Bar 90001747

☒ Jonathan M. Williams
State Bar 00791932

14643 Dallas Parkway, Suite 750
Dallas, TX 75254

Telephone (972) 331-2300

Fax (972) 331-5240

ATTORNEY FOR PLAINTIFF
jwilliams@mlg-defaultlaw.com

Attorneys for Plaintiff

Israel Saucedo, 24042221
MACKIE, WOLF, ZIENTZ & MANN, P.C.
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254
Telephone: (214) 635-2650
Facsimile: (214) 635-2686

MARINOSCI LAW GROUP, P.C.
14643 Dallas Parkway, Suite 750
Dallas, TX 75254
Telephone (972) 331-2300
Fax (972) 331-5240

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by

U.S. Mail on this 4th day of June, 2015 to the following:

Blanca Juarez Martinez
521 Misty Mountain Drive
Fort Worth, TX 76140

All Occupants
521 Misty Mountain Drive
Fort Worth, TX 76140

Israel Saucedo, 24042221
MACKIE, WOLF, ZIENTZ & MANN, P.C.
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254

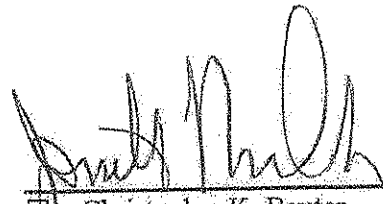

☐ Christopher K. Baxter
☒ Jonathan M. Williams

EXHIBIT K

CAUSE NO. 2015-001940-1

BANK OF AMERICA, N.A.
Plaintiff

vs.

BLANCA JUAREZ MARTINEZ
and ALL OCCUPANTS OF 521
MISTY MOUNTAIN DRIVE, FORT
WORTH, TX 76140-0000
Defendant(s)**IN THE COUNTY COURT****AT LAW NUMBER ONE (1)****TARRANT COUNTY, TEXAS****BUSINESS RECORDS AFFIDAVIT****STATE OF TEXAS §**
COUNTY OF DALLAS §

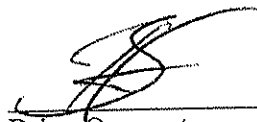
BEFORE ME, the undersigned authority, on this day personally appeared Brian Ommart, who is over the age of eighteen years, is fully qualified and authorized to give this Affidavit and has personal knowledge of the matter addressed herein. After being duly sworn on his oath stated:

"My name is Brian Ommart. I am the Eviction legal assistant for Mackie Wolf Zientz & Mann, P. C. (hereinafter MWZM). I am also the custodian of MWZM's eviction records. The records attached to the Affidavit are records which were obtained and kept in the regular course of business by MWZM so that MWZM, on behalf of the Plaintiff, BANK OF AMERICA, N.A. (hereinafter "Plaintiff"), could obtain possession of the Property located at 521 MISTY MOUNTAIN DRIVE, FORT WORTH, TX 76140-0000. The records attached to this Affidavit include documents from MWZM in the custody of MWZM. The records are the source of the exhibits attached to this Affidavit. It was in the regular course of business that an employee or representative of MWZM obtained these documents and records which were kept and generated in MWZM's regular course of business which are essential and required to obtain possession for Plaintiff. As to the business records attached to this Affidavit, MWZM, with knowledge of the


15-000249-570

act, event, condition or opinion recorded, obtained the business record which were received, ~~checked, verified and then incorporated into, and made an integral part of, MWZM's business~~ records and file, and kept in its regular course of business; or MWZM made the record or transmitted the information to be included in such records. The records were made at or near the time, or reasonably soon after the act, event, or condition recorded. The records attached to this Affidavit are the originals or exact duplicates of the original and contain _____ pages.

Further, this Affiant sayeth not."


Brian Ommart

SUBSCRIBED AND SWORN TO on this 13th day of May, 2015.


Notary Public in and for the
State of Texas

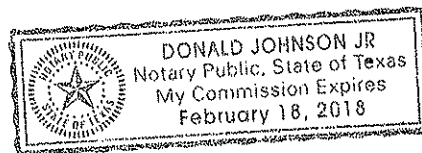


EXHIBIT L

CAUSE NO. 2015-001940-1

BANK OF AMERICA, N.A.

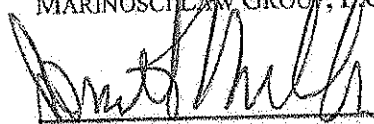
v.

BLANCA JUAREZ MARTINEZ, AND
ALL OCCUPANTS OF 521 MISTY
MOUNTAIN DRIVE, FORT WORTH,
TX 76140§ IN THE COUNTY CIVIL COURT
§
§
§ AT LAW NO. ONE (1)
§
§ TARRANT COUNTY, TEXAS
§
§
§
§
§
§NOTICE OF FILING OF BUSINESS RECORDS AFFIDAVIT

COMES NOW Bank of America, N.A. ("Plaintiff" and "Noteholder"), its successors in interest and assigns and files this Notice of Filing of Business Records Affidavit. Plaintiff would respectfully show the court as follows:

1. Plaintiff files this pleading to provide notice, as required by Texas Rule of Evidence 902(10), that it has filed an affidavit with business records that Plaintiff intends to introduce at trial.
2. Plaintiff filed a certificate of mailing and business records affidavit produced under Rule 902(10) with the clerk of the court for inclusion with the papers in this case.
3. This notice is provided to the other parties promptly after filing the affidavit and records. Notice is served in the manner contemplated by Texas Rule of Civil Procedure 21a, at least 14 days before the commencement of trial.
4. The name and employer of the person making the affidavit is as follows: Brian Ommart, employee of the law firm Mackie, Wolf, Zientz, & Mann.
5. The records are available to the attorneys for other parties for inspection and copying at the office of Plaintiff's attorney. As provided by Rule 902(10), the expense for copying shall be borne by the party seeking copies.

Respectfully submitted,
MARINOSCI LAW GROUP, P.C.



☐ Christopher K. Baxter
State Bar 90001747

☒ Jonathan M. Williams
State Bar 00791932

14643 Dallas Parkway, Suite 750

Dallas, TX 75254

Telephone (972) 331-2300

Fax (972) 331-5240

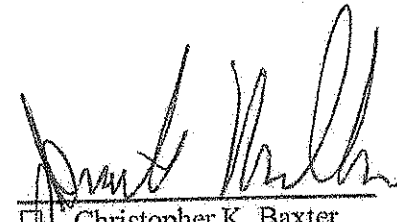
ATTORNEY FOR PLAINTIFF

jwilliams@mlg-defaultlaw.com

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing Notice of Filing of Business Records Affidavit and the Business Records Affidavit with the Attached Exhibits have been forwarded by certified mail, return receipt requested, to:

On the 10th day of May, 2015.



☐ Christopher K. Baxter
☒ Jonathan M. Williams

Blanca Juarez Martinez
521 Misty Mountain Drive
Fort Worth, TX 76140

CMRRR#

91 7199 9991 7035 5916 8695

All Occupants
521 Misty Mountain Drive
Fort Worth, TX 76140

CMRRR#

91 7199 9991 7035 5916 8688

EXHIBIT M

E-FILED
TARRANT COUNTY, TEXAS
6/18/2015 9:19:59 AM
MARY LOUISE GARCIA
COUNTY CLERK
BY: C.D. R.



PHILLIP A. NORMAN, ESQ.
Admitted in IN

GARY MARINOSCI, ESQ.
Admitted in RI & MA

CHRISTOPHER BAXTER, ESQ.
Admitted in AR & TX

CHAD MORRONE, ESQ.
Admitted in MA

ANDREA N. COFFEE, ESQ.
Admitted in NH, NC & MA

GREGG DREILINGER, ESQ.
Admitted in FL

ROBERT COLEMAN, ESQ.
Admitted in AR & TN

AMANDA TIERNAN, ESQ.
Admitted in CT

June 18, 2015

Attn: Tracey Wood
County Court at Law One
100 W. Weatherford Street, Room 490
Fort Worth, TX, 76196-0240

RE: Our File. 15-06568
Cause # 2015-001940-1
Bank of America, N.A.
vs
Blanca Juarez Martinez and all Occupants of
521 Misty Mountain Drive, Fort Worth, TX 76140

Dear Ms. Wood,

Please accept this letter as Marinosci Law Group's request for cause number 2015-001940-1 to be set for hearing.

Thank you for your prompt assistance in this matter. If you have any questions or to provide hearing information, please do not hesitate to contact me.

Very truly yours,

/s/ Marla Blum
Marla Blum, Paralegal
On behalf of Attorney Jonathan Williams
Marinosci Law Group, P.C.
275 West Natick Road, Suite 500
Warwick, RI 02886
(401) 234-9200 ext. 343
mblum@mlg-defaultlaw.com

EXHIBIT N

CASE: 2015-001940-1

Bank of America, N.A.

vs

Blanca Juarez Martinez and all occupants

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IN THE COUNTY COURT

AT LAW NO. 1

TARRANT COUNTY, TEXAS

ORDER

(NON-JURY DOCKET)

IT IS ORDERED THAT THE ABOVE-STYLED AND NUMBERED CAUSE IS SET FOR TRIAL, IN ACCORDANCE WITH LOCAL RULE 3.01, IN THE COURTROOM OF TARRANT COUNTY COURT AT LAW NO. 1 ON THURSDAY, JULY 02, 2015 AT 1:30 PM.

SIGNED ON THIS THE 18TH DAY OF JUNE, 2015.



JUDGE PRESIDING

LOCATION OF COURTROOM

Old Tarrant County Courthouse
4th Floor-County Court At Law #1
100 W. Weatherford Street, Room 490
Fort Worth Texas 76196-0401
817-884-1457

IN THE EVENT ANY WITNESSES WILL
HAVE ANY DIFFICULTY SPEAKING
OR UNDERSTANDING ENGLISH,
PLEASE MAKE ARRANGEMENTS
FOR AN INTERPRETER.

YOU ARE GOING TO TRIAL
NO FURTHER NOTICE WILL BE GIVEN
PLEASE APPEAR WITH YOUR WITNESSES AT THE
ABOVE STATED DATE AND TIME.

File Copy

SCANNED
JUN 19 2015

EXHIBIT O

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

BANK OF AMERICA, N.A.

Plaintiff,

V.

BLANCA JUAREZ MARTINEZ &
ALL OCCUPANTS

Defendant.

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§
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§
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§
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§

CIVIL ACTION :

DEFENDANT'S CERTIFICATE OF INTERESTED PERSONS

Defendant, Alfonso Arroyo, submits the following list of persons and entities who may have a financial interest in the outcome of this lawsuit:

1. Blanca Juarez Martinez
2. Alfonso Arroyo
3. Bank of America

Respectfully submitted,



Alfonso Arroyo

Pro Se

521 Misty Mountain Dr.

Fort Worth, TX 76140

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing instrument is being served upon the below named Attorney for the Plaintiff via Certified mail, return receipt requested, in accordance with the Federal Rules of Civil Procedure, on this 29 day of June 2015 as follows:

Jonathan M. Williams
Marinosci Law Group, PC
14643 Dallas Parkway
Suite 750
Dallas, TX 75254
ATTORNEY FOR PLAINTIFF

Alfonso Arroyo C.
Alfonso Arroyo
Pro Se
521 Misty Mountain Dr.
Fort Worth, TX 76140